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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/823,132	04/13/2004	Robert Chojnacki	N0195US	4831

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NAVTEQ NORTH AMERICA, LLC
222 MERCHANDISE MART
SUITE 900, PATENT DEPT.
CHICAGO, IL 60654

EXAMINER

PERUNGAVOOR, VENKATANARAY

ART UNIT	PAPER NUMBER
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2132

MAIL DATE	DELIVERY MODE
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06/20/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/823,132	Applicant(s) CHOJNACKI, ROBERT	
	Examiner Venkat Perungavoor	Art Unit 2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 29-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 29-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>4/04-2/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims ¹²~~29~~ 36, 38, 40-44, 46-48 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent 7051211 to Matyas et al.(hereinafter Matyas).

¹² Regarding Claim ~~29~~, Matyas discloses the receiving the receiving of data comprising an encrypted first portion and a unencrypted second portion, where the unencrypted second portion is unusable without decrypting the first portion see Fig. 3 item 12 & 14 & Col 9 Ln 14-33; decrypting the encrypted first portion with a decryption key see Col 13 Ln 21-40; executing the program on the platform to use application including first and second portion where the program is not included with product see Col 9 Ln 4-13 & Col 12 Ln 52-61.

Regarding Claim 30, 40, Matyas discloses the decompression parameters being used see Col 14 Ln 53-61 & Col 9 Ln 50-64.

Regarding Claim 31, 46, Matyas discloses the portion containing indices into data contained in the second portion see Col 9 Ln 50-64 & Col 9 Ln 14-30.

Regarding Claim 32, 47, Matyas discloses the global data containing data product as a whole see Col 11 Ln 30-45.

Regarding Claim 33-36, 41-43, 48, Matyas discloses the encrypted authorization key and decrypting the key to obtain the verification information having ID codes see Col 8 Ln 25-60 & Col 10 Ln 6-19.

Regarding Claim 38, Matyas discloses the processor see Fig. 2 item 238; data storage medium having encrypted first portion and unencrypted second portion, where the first portion has critical data that enables use of data product see Col 13 Ln 21-31 (where the unencrypted portion contains data needed for decrypting); decrypting the encrypted first portion with a decryption key see Col 13 Ln 21-40 and executing the program on the platform to use application including first and second portion where the program is not included with product see Col 9 Ln 4-13 & Col 12 Ln 52-61.

Regarding Claim 44, Matyas discloses the having encrypted first portion and unencrypted second portion, where the first portion has critical data that enables use of data product see Col 13 Ln 21-31 (where the unencrypted portion contains data needed for decrypting); and executing the program on the platform to use application including first and second portion where the program is not included with product see Col 9 Ln 4-13 & Col 12 Ln 52-61.

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 37, 39, 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 7051211 to Matyas et al.(hereinafter Matyas) in view of US Patent 6104815 to Alcorn et al.(hereinafter Alcorn).

Regarding Claim 37, 39, 45, Matyas does not disclose the decrypting the geographic database.

However, Alcorn discloses the decrypting the geographic database (where the positional information is encrypted see Fig. 7b item "Receive & decrypt & Send time & Pos. Info to Server"). It would be obvious to one having ordinary skill in the art at the time of the invention to include the decrypting the geographic database in the invention of Matyas in order to send sensitive information to server and the server being able to additional information(user, location and time validity test) as taught in Alcorn see Fig. 4.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Venkat Perungavoor whose telephone number is 571-272-7213. The examiner can normally be reached on 8:30-5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/VP/
Venkat Perungavoor
Examiner
Art Unit 2132
June 6, 2007


Benjamin E. Langer
Examiner Art. 2132